

SRC APPROVED

Date January 10, 2013  
J SLM

## State Records Committee Meeting

Division of Archives, Courtyard Meeting Room

December 13, 2012

Salt Lake City, Utah

Members Present: Lex Hemphill, Media Representative  
David Fleming, Private Sector Records Manager  
Doug Misner, History Representative  
Holly Richardson, Citizen Representative  
Betsy Ross, Chair, Auditor's Designee  
Patricia Smith-Mansfield, Governor's Designee  
Ernest Rowley, Elected Official Representative

Legal Counsel: Paul Tonks, Attorney General's Office  
Ed Lombard, Attorney General's Office

Executive Secretary: Susan Mumford, Utah State Archives

Others Attending: Matt Anderson, Attorney General's Office  
Ashlee Buenholz, Governor's Office  
Stephen Dark, *City Weekly*, petitioner  
Bryce De Giulio, Department of Corrections  
Glen Fairclough, Archives staff  
Donald Meyers, *Salt Lake Tribune*  
Lorianne Ouderkirk, Archives staff  
Greg Peay, Department of Corrections  
Eric Peterson, *City Weekly*  
Gina Proctor, Department of Corrections  
Michael Rabisch, Utah Highway Patrol  
Sharel Reber, Attorney General's Office  
Elizabeth Sollis, Department of Human Services  
Suzanne Young, Department of Corrections

**Call to order: 9:30 a.m.**

### **Hearing – Robert Baker vs. Utah Department of Corrections**

Ms. Ross called the meeting to order at 9:30 a.m. Mr. Robert Baker, the petitioner, was contacted at the prison. Mr. Matt Anderson, Bryce DeGiulio, and Ms. Gina Proctor were present representing the Department of Corrections.

**Opening – petitioner**

Mr. Baker said that as an inmate at the Utah State Prison he was a ward of the state. He said he suffered from various medical problems and wanted to verify that he was receiving adequate medical attention and that the required medical efforts were being made in his behalf. He had requested the manual TMF06 in order to verify the services that were available to him. He had been told the manual was a protected record and was not available to him.

**Opening – respondent**

Matt Anderson asked questions of Officer Bryce DeGiulio who was sworn as a witness by Ms. Ross. Mr. De Giulio said the requested manual was a technical manual designed for employees of the clinical services bureau at the prison. It contained an outline of security protocols for the infirmary, steps to be followed in emergency care, equipment instructions and other technical information for employees. The reason for the classification of “protected” was that the record contained information about security keys and codes which were precautions to prevent inmates from harming themselves or others.

**Testimony – petitioner**

Mr. Baker said that in his search for information about medical coverage and services available to him, he had come across a civil lawsuit that had a written policy of medical procedures attached as an exhibit to the case. He thought the case established a precedent and that the policy he had requested should be available to him. He was told to submit a GRAMA request. When he did, it was denied by Gina Proctor pursuant to UCA 63G-2-305(12) as records the release of which could jeopardize the safety and security of the prison. He appealed the denial to Mike Haddon and when the request was denied at that level, he appealed to the State Records Committee. He said the federal case he cited had included the policy manual as a public document.

**Testimony – respondent**

Officer Bryce De Giulio was sworn as a witness. Mr. Anderson asked him a series of questions. De Giulio said he had worked for Corrections for 25 years and was currently deputy warden over clinical services. He had held that position for six months. He said the TMF06 manual had been revised in 2008. He described it as a working manual for clinical services personnel. He had reviewed the policy and was concerned about the release of the manual. Inmates who had the information available in the manual could circumvent various procedures like transportation of inmates, could use the knowledge of medical equipment in medical rooms to make weapons, or create escape materials. A portion of the manual dealt with pharmaceutical issues, mental health policies, and mental health evaluations. Information was available in the manual about the procedure for extracting prisoners from cells. He said inmates could use mental health evaluation

information to manipulate the area of housing to which they were assigned in order to prey on other inmates.

#### **Closing – petitioner**

Mr. Baker said that he could understand deleting the parts of the manual that dealt with safety and security of the prison. He was interested in the parts that related to the care of inmates. He said he had a right to know what to expect as an inmate for medical care. He said the parts of the manual that related to the safety and security of the prison could be deleted or blocked out, but that the part of the reference manual that dealt with medical issues should be retained and released to him.

#### **Closing – respondent**

Mr. Anderson said that the requested manual contained a lot of sensitive information and release of the record could risk escape or contraband problems. He said the record should be treated as a protected document. He said the department had looked for the case Mr. Baker had cited, but had not found it. The Department of Corrections was not willing to spend time scouring old documents. The current responsibility of the records officers did not include segregating information from a document to the point that what would be left would be unintelligible. The department had classified the entire document as protected. The reference manuals already available to Mr. Baker would provide him with sufficient information about his medical rights.

#### **Deliberation**

Ms. Smith-Mansfield made a motion to go *in camera* to view the records.

Mr. Misner seconded the motion. A vote was taken. Mr. Rowley and Mr. Hemphill voted against the motion. Mr. Misner, Mr. Fleming, Ms. Ross, Ms. Smith-Mansfield, and Ms. Richardson voted in favor of the motion. The motion passed and the committee went into closed session.

**Closed session – 10:07 a.m. – 10:20 a.m.**

#### **Deliberation – continued**

Mr. Rowley made a motion to reconvene. Mr. Fleming seconded the motion. A vote was taken. Mr. Hemphill, Mr. Misner, Mr. Fleming, Ms. Richardson, Ms. Ross, Mr. Rowley, and Ms. Smith-Mansfield voted in the affirmative. The meeting returned to open session. Mr. Hemphill made a motion that the information in the manual qualified as records of security measures and was not subject to GRAMA pursuant to UCA 63G-2-106. Ms. Richardson seconded the motion. A vote was taken. Ms. Richardson and Mr. Hemphill voted in favor of the motion. Mr. Fleming, Mr. Misner, Mr. Rowley, Ms. Ross, and Ms. Smith-Mansfield voted against the motion. Ms. Smith-Mansfield made a motion that the TMF06 manual was properly classified as protected pursuant to 63G-2-305(12). The motion died for lack of a second. Mr. Fleming made a motion that the table of contents of the manual was public and should be released. Ms. Smith-Mansfield seconded the motion. A vote was taken. Mr. Hemphill, Mr. Fleming, Mr. Misner, Mr. Rowley, Ms. Ross, Ms. Richardson, and Ms. Smith-Mansfield voted in favor of the motion. The motion passed unanimously. Mr. Hemphill made a motion that the remainder of the

manual was properly classified as protected pursuant to 63G-2-305(12). Mr. Rowley seconded the motion. A vote was taken. Mr. Hemphill and Ms. Richardson voted in favor of the motion. Mr. Fleming, Mr. Misner, Ms. Ross, Mr. Rowley, and Ms. Smith-Mansfield voted against the motion. The motion failed five to two. Ms. Smith-Mansfield made a motion that the rest of the manual was properly classified as protected with a secondary classification of public. A vote was taken. Mr. Hemphill and Ms. Richardson voted against the motion. Mr. Fleming, Mr. Misner, Ms. Ross, Mr. Rowley, and Ms. Smith-Mansfield voted in favor of the motion. The motion passed five to two. Ms. Ross said that an order would be prepared and sent to the parties within seven days.

### **11:00 a.m. Hearing – Stephen Dark vs. Utah Department of Human Services**

Ms. Ross asked the parties for the hearing to introduce themselves. Stephen Dark was the petitioner. Accompanying him was Eric Peterson. Both were reporters for the *City Weekly Magazine*. Debbie Kurzban, Assistant Attorney General, and Elizabeth Sollis, GRAMA officer, represented the respondent, the Utah Department of Human Services (DHS). Mr. Doug Misner, a member of the State Records Committee, stated that he had worked under Palmer DePaulis as the Director of the Utah Department of Community and Culture. There were no objections from the parties to his participation in the hearing.

#### **Opening – petitioner**

Mr. Dark said the denial by the Department of Human Services to his request for records contained the statement that the department was committed to the privacy interests of the families involved in child abuse cases. Mr. Dark said his interest was in the records of the audit of one agency investigating another agency. The lieutenant governor had ordered an audit of a specific Division of Child and Family Services (DCFS) case. Mr. Dark had requested the emails related to the audit. Ms. Sollis responded that she had gone through thousands of pages of emails to narrow the request. Mr. Dark said through his investigations and interviews with other informants, he knew that there were emails that addressed the audit as opposed to the child abuse case that was being investigated. His interest was only in the audit and the issues of transparency that had not been adequately realized.

#### **Opening – respondent**

Ms. Kurzban said Mr. Dark had a theory which was evidenced in his communications with the Department of Human Services about the improper conduct of the Lieutenant Governor. However, that was not the subject of the current hearing. A GRAMA request had been made for public records. Ms. Sollis had reviewed numerous records and had released those that were public. The only information redacted was information classified as private, protected or controlled. The information redacted was related to the department's interaction with a private family.

#### **Testimony – petitioner**

Mr. Dark said that court testimony given by a friend of Lieutenant Governor Gregory Bell had been the source of Mr. Dark's published story in the *City Weekly Magazine*. He

said the man acknowledged reaching out to the Lieutenant Governor as a friend to help when his daughter was being investigated by Child Protective Services. Lieutenant Governor Bell set up an audit outside of the traditional means. The request was reworded in a later appeal. Ms. Kurzban had described the later request as "expanded." The audit he received was so heavily redacted to the point of being nonsensical. The final copy of the audit was taken away from DHS by the Lieutenant Governor's Office. The information requested was not about the child abuse case; rather it was about the investigation of the investigation. The department was trying to shift the direction of the investigation. There seemed to be a focus on keeping the issue secret. There were many emails pertaining to the Lieutenant Governor's interference in a criminal prosecution that had not been produced. The emails from the Lieutenant Governor's Office and between Lieutenant Governor Bell and Palmer DePaulis were heavily redacted. DHS claimed that the emails and the audit were a result of the child abuse case and were therefore protected. Mr. Dark said there was serious concern about the legitimacy and purpose of the audit that was ordered by Lieutenant Governor Bell. The case itself did not warrant an audit and was the only case to precipitate an audit by the Lieutenant Governor's Office.

#### **Testimony – respondent**

Ms. Kurzban said Mr. Dark had requested a specific performance audit and that record had been provided to him. There were redactions to protect the privacy of the family involved. The copy that was provided to Mr. Dark had been redacted by the Lieutenant Governor's Office and was a shared record. A response to the audit by DHS had also been provided to Mr. Dark. Ms. Sollis was sworn as a witness. She said the investigation into the case had been completed. She said she did not know if the audit was general or specific to the one case. She had no specific knowledge of the thought process of the auditors, but thought the audit was specific to the family involved. She said the audit had covered several topics: the private family, a performance audit of DHS, and the involvement of the Lieutenant Governor's Office. All of the public records requested in the September 12, 2012, GRAMA request had been provided. She said she had not looked for the emails mentioned in the expanded request.

#### **Closing – petitioner**

Mr. Dark said something was wrong if the audit existed only in its redacted state and DHS was unable to produce a copy of the unredacted audit. The audit itself signified the misuse of the power of the Lieutenant Governor's Office.

#### **Closing – respondent**

Ms. Kurzban said DHS was committed to transparency insofar as the actions of its employees. The department was also committed to protect the privacy of families involved in issues of an inherently personal nature. No information was redacted from the information collected as a result of the audit and investigation. The only information redacted was redacted expressly to continue to protect the privacy rights of the family involved.

**Deliberation**

Ms. Smith-Mansfield made a motion to go in camera to review the records. Mr. Hemphill seconded the motion. A vote was taken. Mr. Hemphill, Mr. Fleming, Mr. Misner, Mr. Rowley, Ms. Ross, Ms. Richardson, and Ms. Smith-Mansfield voted in favor of the motion. The committee went into closed session.

**Closed session 12:30 – 12:55****Deliberation**

Ms. Smith-Mansfield made a motion to return to open session. Mr. Hemphill seconded the motion. A vote was taken. Mr. Hemphill, Mr. Fleming, Mr. Misner, Mr. Rowley, Ms. Ross, Ms. Richardson, and Ms. Smith-Mansfield voted in favor of the motion. The committee returned to open session. Mr. Hemphill made a motion that pursuant to 62A-4a-412, the records were governed by another statute, were properly classified, and should be denied. Ms. Smith-Mansfield seconded the motion. A vote was taken. Mr. Hemphill, Mr. Fleming, Mr. Misner, Mr. Rowley, Ms. Ross, Ms. Richardson, and Ms. Smith-Mansfield voted in favor of the motion. The motion passed with a unanimous vote. Ms. Ross said that an order would be issued and sent to the parties within seven days.

**Other Business**

Ms. Ross said that she would not be a part of the committee in the future. She thanked the committee for the association she had had over the years with the various members of the committee.

**Approval of the minutes**

Mr. Hemphill made a motion to approve the SRC minutes of October 11, 2012, as corrected and to approve the minutes of November 15, 2012. Ms. Smith-Mansfield seconded the motion. A vote was taken. Mr. Hemphill, Mr. Fleming, Mr. Misner, Mr. Rowley, Ms. Ross, Ms. Richardson, and Ms. Smith-Mansfield voted in favor of the motion for the October minutes. Mr. Rowley abstained from voting on the approval of the November minutes because he had been absent.

**Approval of retention schedules**

Mr. Glen Fairclough, from the Utah State Archives, presented the proposed retention schedules.

1. #28161 State grant program files, Commission on Criminal and Juvenile Justice  
Ms. Smith Mansfield made a motion that the retention time begin after the grant closed. Mr. Rowley seconded the motion. A vote was taken. Mr. Fleming, Mr. Hemphill, Mr. Misner, Ms. Richardson, Ms. Ross, Mr. Rowley, and Ms. Smith-Mansfield voted in favor of the motion. With this change, the retention was approved.
2. #27942 Treatment record, Department of Human Services, Office of Social Services, Developmental Center  
Retention of 6 years governed by 45 CFR 164.530(j).
3. #28132 University Archives – Department generated student records  
Retention of 75 years and then transfer to Archives

4. # 28130 Child Care – DWS background non-clearance case files, Department of Health  
Retention of 9 years
5. #27771 Lead-based paint individual certifications, Department of environmental Quality, division of Air Quality  
Retention 15 years
6. #27772 X-ray fluorescence and dosimeter reports, Department of Environmental Quality, Division of Air Quality,  
Retention 15 years
7. # 7159 Workers' compensation case files  
Retention 100 years
8. # 28141 Proof of coverage reporting penalty case files, Labor Commission, Industrial Accident Division  
Retention 51 years

After discussion, four of the retention schedules (#28132, 27771, 27942, 28130 and as amended, 28132) were approved in a motion made by Ms. Smith Mansfield and seconded by Mr. Hemphill. On # 27772, Mr. Rowley made a motion to refer the schedule to the agency for further clarification. Mr. Fleming seconded the motion. A vote was taken. Mr. Hemphill, Mr. Fleming, Mr. Misner, Mr. Rowley, Ms. Ross, Ms. Richardson, and Ms. Smith-Mansfield voted in favor of the motion. The motion passed with a unanimous vote. A decision on the retention schedule for # 7159 was postponed until next month's meeting. Mr. Fleming made a motion that the retention schedule for #28141 was too long a period of time and should be reduced. Ms. Smith-Mansfield seconded the motion. A vote was taken. Mr. Hemphill, Mr. Fleming, Mr. Misner, Mr. Rowley, Ms. Ross, Ms. Richardson, and Ms. Smith-Mansfield voted in favor of the motion. The motion passed with a unanimous vote.

#### **Prehearing conferences**

The committee discussed pre-hearing conferences. The chair of the committee currently can require the parties to appear for pre-hearing conferences. The extension of this ability to the ombudsman was considered. An amendment to the rules would be needed so that the chair could recommend working with the ombudsman before a hearing. An amendment could allow the ombudsman to require the parties to mediate before a hearing is scheduled. The discussion was referred to the counsel for the committee, Paul Tonks, to create wording for an amendment.

**STATE RECORDS COMMITTEE**  
**December 13, 2012**  
**State Archives Building, Courtyard Meeting Room**  
**346 S. Rio Grande (450 West)**  
**Salt Lake City**

**AGENDA**  
**Call to Order 9:30 a.m.**

**Hearing: Robert Baker vs. Department of Corrections.** Mr. Baker is appealing the denial of a medical operations manual (TMF 06) maintained by the department.

**Hearing: Stephen Dark, City Weekly vs. Utah Department of Human Services.** Mr. Dark is appealing the denial of records relating to an audit conducted on the Department of Human Services and the influence of Lieutenant Governor Gregory Bell on that audit.

**Other Business**

1. Approval of October 11 and November 15 SRC Minutes, action item
2. Pre hearing conferences discussion and action item
3. Approval of retention schedules, action item
4. SRC appeals received
5. Cases in District Court
6. Other Business

**ADJOURNMENT**

Next meeting scheduled for Thursday, January 10, 2013, at 9:30 a.m.



**SRC Appeals Received  
December 2012**

1. **Clayton Simms vs. Utah Attorney General.** Mr. Simms is an attorney appealing the denial of investigation records of former Detective Ben Murray, the initial investigator on a case involving his client, Rikki Rodriguez. Hearing scheduled for January
  2. **Sandra Senn vs. Department of Public Safety.** Ms. Senn is appealing the partial denial of disciplinary, training, and personnel files of trooper David Wurtz. Hearing scheduled for January
  3. **Karianne Lisonbee vs. Syracuse City Mayor.** Ms. Lisonbee, a Syracuse City Council member, requested and was denied records of all applicants for position of Police Chief. New request. This issue resolved by ombudsman
  4. **Don Stryker vs. University of Utah.** Fee denial issue. This issue resolved by ombudsman.
  5. **Gregory Williams vs. UDC.** Mr. Williams had a list of grievances against corrections for the handling of requests.
  6. **Gregory Williams vs. Board of Pardons.** Mr. Williams is appealing the denial of notes relating to his Bd. Of Pardons hearing. A possible denial
  7. **Robert Baker vs. UDC.** Request for TMF06, a technical medical procedural manual. Scheduled for December.
  8. **Clayton Simms vs. Utah Attorney General's Office.** Appeal of denial of records regarding Ben Murray, former Vernal Police Detective. Scheduled for December.
  9. **Ken Cromar vs. City of Cedar Hills.** A new request for a hearing has been received from Mr. Cromar. He is appealing the partial denial of billing information for attorney work with the city.
  10. **Moss Shepherd vs. UDC.** Fee waiver for indigent inmate issue. Access to records not at issue.
  11. **Ross George vs. UDC.** TMF 06 Manual request. Wait to respond until Robert Baker hearing.
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**12. Edward Hammond vs. University of Utah.** Incomplete

**13. Mark Kimball vs. UDC.** Fee waiver denial for indigent inmates.  
Access to records not at issue.

## **December 2012 Records Committee Case Updates**

### **District Court Cases**

**Lawrence v. Dept. of Public Safety**, 3<sup>rd</sup> District, Salt Lake County, Case No. 120907748, Judge Dever, filed November 19, 2012.

**Current Disposition:** Complaint filed on November 19<sup>th</sup>, served upon Committee on December 6<sup>th</sup>. Answer to be filed on behalf of the Committee.

**Utah Dept. of Workforce Services v. Guberev**, 3<sup>rd</sup> District, Salt Lake County, Case No. 120907203, Judge Faust, filed October 23, 2012.

**Current Disposition:** Petition for review filed by DWS. Answer filed on behalf of the State Records Committee on November 19, 2012.

**Salt Lake City Corp. v. Mark Haik**, 3<sup>rd</sup> District, Salt Lake County, Case No. 120905667, Judge Kelly, filed August 21, 2012.

**Current Disposition:** Complaint filed by Salt Lake City Corp., answer and counterclaim filed by Haik on September 6, 2012. A motion to dismiss the Committee as a party (not an appeal from a decision by the Committee) was filed on December 5, 2012. Motion will probably be unopposed resulting in a probable granting of the motion.

**Danysh v. Unified Police Dept.**, 3<sup>rd</sup> District, Salt Lake County, Case No. 120904327, Judge Quinn, filed June 22, 2012.

**Current Disposition:** October 9, 2012, Mr. Danysh filed a "Petition to Withdraw Petition" with the Court claiming that since the Court is unable to waive his court filing fee pursuant to Utah Code, he needs to withdraw his petition. On November 19, 2012, Court granted petition to withdraw petition dismissing the case.

**Utah Dept. of Human Services v. Wilson**, 3<sup>rd</sup> District, Salt Lake County, Case No. 120903186, Judge Kelly, filed May 10, 2012.

**Current Disposition:** Motion to amend complaint filed by Human Services granted on November 29, 2012.

**Salt Lake City v. Jordan River Restoration Network**, 3<sup>rd</sup> Judicial District, Salt Lake County, Case No. 100910873, Judge Stone, filed June 18, 2010.

**Current Disposition:** Only pleading filed during the past six months was a notice of appearance of new counsel on behalf of Jordan River.

### **Appellate Court Cases**

**Attorney General Office. v. Schroeder**, 3<sup>rd</sup> District, Salt Lake County, Case No. 110917703, Judge Kelly, filed Sept. 20, 2011.

**Current Disposition:** Trial held on October 19, 2012. Appeal filed by Schroeder requesting matter to be heard by the Utah Supreme Court. AG counsel has been assigned to represent the AG's office, Paul Tonks assigned to represent the Committee.

# Utah State Archives

**Parent Agency:** Board of Regents  
Weber State University

**Agency:** Weber State University (Utah)

3848 Harrison Boulevard  
Ogden, UT 84408  
626-6000

## Records Officer

28132 University Archives--Department generated student records

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

The Agency classifies its records under provisions of the Government Records Access and Management Act (UCA 63-2-101 et seq.). Classifications have not been approved by the State Records Committee.

This agency retention schedule was approved by the State Records Committee in December 2012.

  
Susan Mumford  
Executive Secretary  
State Records Committee

## **Utah State Archives**

**AGENCY:** Weber State University (Utah)

**SERIES:** 28132

**TITLE:** University Archives--Department generated student records

**DATES:** 1950-

**ARRANGEMENT:** Alphabetical by last name

**ANNUAL ACCUMULATION:**

**DESCRIPTION:**

These files consist of subject specific departmental records created to track a student's work throughout their program while enrolled at Weber State University. They may include applications into the program, reviews by professors, program transcripts, extra-curricular activities, internships, and mentor evaluations.

**RETENTION:**

Retain 75 years

**DISPOSITION:**

Transfer to the State Archives with authority to weed.

**FORMAT MANAGEMENT:**

Records in electronic format are also covered by this schedule. If a separate retention for electronic formats is not provided, follow the length of retention for the paper copy.

Paper: Retain in Office for 5 years and then transfer to State Records Center. Retain in State Records Center for 70 years and then transfer to State Archives with authority to weed.

**APPRAISAL:**

Administrative Historical

**PRIMARY CLASSIFICATION:**

Private

# Utah State Archives

**Parent Agency:** Environmental Quality  
Air Quality

**Agency:** Department of Environmental Quality. Division of Air Quality

195 North 1950 West  
P.O. Box 144820  
Salt Lake City, UT 84114-4820  
536-4000

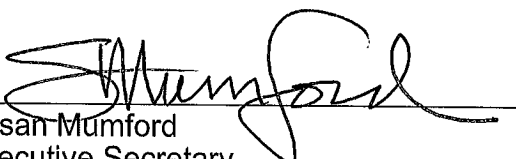
## Records Officer

27771 Lead-based paint individual certifications

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

The Agency classifies its records under provisions of the Government Records Access and Management Act (UCA 63-2-101 et seq.). Classifications have not been approved by the State Records Committee.

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Susan Mumford  
Executive Secretary  
State Records Committee

## Utah State Archives

**AGENCY:** Department of Environmental Quality. Division of Air Quality

**SERIES:** 27771

**TITLE:** Lead-based paint individual certifications

**DATES:** 2000-

**ARRANGEMENT:** alphabetical by name

**ANNUAL ACCUMULATION:** 0.50 cubic feet.

**DESCRIPTION:**

These records document certification for individuals to handle lead-based paint. The records are used to track individuals who have received training and certification in order to be qualified to work with lead-based paint. Information includes certification documentation, citizenship verification, personal information about the individual, job description, and other related records.

**RETENTION:**

Retain 15 years

**DISPOSITION:**

Destroy.

**FORMAT MANAGEMENT:**

Records in electronic format are also covered by this schedule. If a separate retention for electronic formats is not provided, follow the length of retention for the paper copy.

Paper: Retain in Office for 4 years after completion of certification and then transfer to State Records Center. Retain in State Records Center for 11 years and then destroy provided no litigation is pending.

Compact disc: Retain in Office for 4 years after completion of certification and then transfer to State Records Center. Retain in State Records Center for 11 years and then destroy provided no litigation is pending.

**APPRAISAL:**

Administrative

Depending on the discipline, individuals must re-certify every 1-5 years.

## **Utah State Archives**

**AGENCY:** Department of Environmental Quality. Division of Air Quality

**SERIES:** 27771

**TITLE:** Lead-based paint individual certifications

(continued)

**PRIMARY CLASSIFICATION:**

Public

**SECONDARY CLASSIFICATION(S):**

Private.            medical data, Utah Code 63G-2-302(1)(b); Social Security  
number, Utah Code 63G-2-302(1)(h)



# Utah State Archives

**Parent Agency:** Human Services  
Social Services  
Handicapped, Services to the

**Agency:** Department of Human Services. Office of Social Services.  
Developmental Center  
State Developmental Center  
American Fork, UT 84003

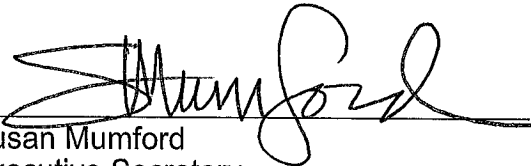
## Records Officer

27942 Treatment record

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

The Agency classifies its records under provisions of the Government Records Access and Management Act (UCA 63-2-101 et seq.). Classifications have not been approved by the State Records Committee.

This agency retention schedule was approved by the State Records Committee in December 2012.

A handwritten signature in black ink, appearing to read 'Susan Mumford', is written over a horizontal line.

Susan Mumford  
Executive Secretary  
State Records Committee

## Utah State Archives

**AGENCY:** Department of Human Services. Office of Social Services.  
Developmental Center

**SERIES:** 27942

**TITLE:** Treatment record

**DATES:** 1960-

**ARRANGEMENT:** alphabetical by client's name

**ANNUAL ACCUMULATION:** 0.20 cubic feet.

**DESCRIPTION:**

This is a record of treatments given to each individual resident. It includes the resident's name, building, file number, date of birth, treatment, date ordered and administered, and the doctors name.

**RETENTION:**

Retain 6 years as provided by 45 CFR 164.530(j).

**DISPOSITION:**

Destroy.

**FORMAT MANAGEMENT:**

Records in electronic format are also covered by this schedule. If a separate retention for electronic formats is not provided, follow the length of retention for the paper copy.

Paper: Retain in Office for 6 years.

**APPRAISAL:**

Administrative

**PRIMARY CLASSIFICATION:**

Exempt      Classification is based on CFR 164.502(a)(2)

**SECONDARY CLASSIFICATION(S):**

Controlled.      UCA 63G-2-304

# Utah State Archives

**Parent Agency:**

**Agency:** Department of Health

288 North 1460 West  
Salt Lake City, UT 84116  
584-8585

**Records Officer**

28130 Child Care - DWS background non-clearance case files

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

The Agency classifies its records under provisions of the Government Records Access and Management Act (UCA 63-2-101 et seq.). Classifications have not been approved by the State Records Committee.

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Susan Mumford  
Executive Secretary  
State Records Committee

## Utah State Archives

**AGENCY:** Department of Health

**SERIES:** 28130

**TITLE:** Child Care - DWS background non-clearance case files

**DATES:** 2008-

**ARRANGEMENT:** Alphabetical by last name

**ANNUAL ACCUMULATION:**

**DESCRIPTION:**

Parents who receive child care assistance payments through the Department of Workforce Services may obtain child care from a parent, sibling, relative, or friend (Utah Code 35A-3-310.5). Friends or family members who provide child care are not licensed providers, but if they are to receive payment for their services, they are still required to obtain a criminal background check. The Health Department maintains information about potential friend/family member child care providers who did not pass the background check and therefore are ineligible to be paid for child care. No files are created or maintained for individuals who are cleared. Documents include letters, attestation forms, criminal background screening/licensing information system (CBS/LIS) denial form, and any other documentation regarding the applicant's criminal record. If the subject of a non-clearance case file subsequently has his/her criminal case expunged, the expungement order is included in the file as evidence that the record has been cleared.

**RETENTION:**

Retain 9 years

**DISPOSITION:**

Destroy.

**FORMAT MANAGEMENT:**

Records in electronic format are also covered by this schedule. If a separate retention for electronic formats is not provided, follow the length of retention for the paper copy.

Paper: Retain in Office for 4 years after case has become inactive or until individual ceases to provide child care and then transfer to State Records Center. Retain in State Records Center for 5 years and then destroy.

**APPRAISAL:**

Administrative Legal

Criminal background checks for those who receive child care assistance payments through the Department of Workforce Services are authorized by Utah Code 35A-3-310.5.

## **Utah State Archives**

**AGENCY:** Department of Health

**SERIES:** 28130

**TITLE:** Child Care - DWS background non-clearance case files

(continued)

Case files need to be available for Department of Workforce  
Services hearings.

**PRIMARY CLASSIFICATION:**

Protected      Utah Code 63G-2-305(9) and (10) (2005)